

UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

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CHAMBERS OF
ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE

October 10, 2002

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MEMORANDUM TO COUNSEL RE:

"Maryland Thimerosal Litigation"
Hoggan v. Merck & Co.
Civ. No. AMD 02-2909

I acknowledge Mr. Yost's letter dated October 10, 2002 and I thank him for the same.

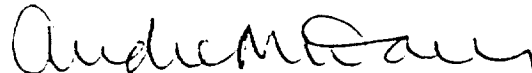
I want to be as clear as possible because I firmly share the concerns of counsel that needlessly repetitive filings are bad for trees (and all living beings that depend on them), bad for the court's staff, and bad for all concerned. It is my hope that to the maximum extent possible, **all parties will incorporate by reference** any and all arguments, exhibits and prior filings in any of these cases in connection with the imminent proceedings on the motions for remand. I see no need to file additional copies of the massive exhibits which have been filed heretofore in some of the previously-removed cases. Please exercise prudence; I assure you that no party will be prejudiced by failing to file a ten inch stack of exhibits.

From my quick preliminary review of the early motions for remand, it seems clear that the remand motions will require considerable time to permit all parties to file their written arguments and for me finally to adjudicate the motions. Indeed, it will be spring, I suspect, before the motions are finally resolved. Thus, there is no urgency in connection with these matters.

I trust that this responds adequately to all parties' concerns.

Despite the informal nature of this memorandum, it is an Order of Court and the clerk shall docket it as such.

Very truly yours,



Andre M. Davis
United States District Judge

AMD:tt

10/10/02